

AMENDMENTS TO THE CLAIMS

The listing of claims replaces all prior versions and listings of claims in the application. The listing of claims presents each claim with its respective status shown in parentheses.

1. (Original) In an investment risk minimization system involving a venture capital investor and a venture needing investment from the venture capital investor, a method comprising:

providing an investment to a venture having an intellectual asset;

receiving a security interest in the intellectual asset, the security interest securing an ownership right to the intellectual asset upon failure by the venture to meet established parameters; and

if the venture receiving the investment fails to meet the established parameters, obtaining ownership in the intellectual asset, valuing the intellectual asset, and transferring the intellectual asset to a charitable organization.

2. (Original) The method of claim 1, further comprising determining a value of the intellectual asset before providing the investment to the venture.

3. (Original) The method of claim 2, further comprising using the determined value of the intellectual asset to establish an amount of investment to provide to the venture.

4. (Original) The method of claim 1, further comprising obtaining consent from the venture to own the intellectual asset in satisfaction of the failed investment.

5. (Original) The method of claim 1, wherein the step of donating the intellectual asset comprises identifying a permissible donee to receive the intellectual asset.

6. (Original) The method of claim 1, further comprising having the intellectual asset appraised by a qualified appraiser.

7. (Original) The method of claim 1, wherein the step of providing an investment to a venture having an intellectual asset comprises investing in a separate intellectual capital holding company, the intellectual capital holding company having ownership in the intellectual asset of the venture.

8. (Original) The method of claim 1, wherein the step of valuing the intellectual asset includes determining the fair market value of the intellectual asset.

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9. (Original) The method of claim 1, wherein the step of transferring includes donating the intellectual asset to the charitable organization.

10. (Original) A method of recouping losses in a failed venture capital investment, the failed venture capital investment being in a venture having an intellectual asset, the method comprising:

obtaining cooperation from a debtor and any secured parties having security interests in the debtor;

receiving full ownership of an intellectual asset from the debtor in satisfaction of an obligation incurred from an agreement with the debtor;

holding the intellectual asset for one year from receiving full ownership of the intellectual asset;

donating the intellectual asset to a permissible charitable donee after one year from receiving full ownership of the intellectual asset; and reporting an appraised value of the donated intellectual asset to the Internal Revenue Service to obtain a tax deduction for the donation.

11. (Original) The method of claim 10, wherein the step of receiving full ownership of an intellectual asset from the debtor in satisfaction of an obligation incurred from an agreement with the debtor comprises fully satisfying the obligation.

12. (Original) The method of claim 10, wherein the step of reporting an appraised value of the donated intellectual asset to the Internal Revenue Service to obtain a tax deduction for the donation comprises obtaining an appraisal and an appraisal summary from a qualified appraiser.

13. (Original) The method of claim 10, wherein the step of obtaining cooperation from debtor and any secured parties having security interests in the debtor comprises notifying the debtor and any secured parties having secured interests in the debtor.

14. (Currently amended) The method of claim 10, wherein the step of donating the intellectual asset after one year from receiving full ownership of the intellectual asset to a permissible charitable donee comprises identifying an organization described in Section 501(c)(3) of the Internal Revenue Code (2001).

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15. (Original) The method of claim 10, further comprising recording the security interest in the intellectual asset.

16. (Original) The method of claim 15, wherein the intellectual asset is a patent and recording the security interest comprises filing a document indicating the security interest in the intellectual asset with the patent office.

17. (Original) A method executed by a computing device to provide investment risk minimization determinations where an investment is made in a venture having an intellectual asset, the method comprising:

receiving a determination of a value of an intellectual asset owned by an investment-seeking venture;

determining an investment based at least partially on the value of the intellectual asset, the investment being made in the investment seeking venture in exchange for a security interest in the intellectual asset;

determining minimum performance conditions for the investment seeking venture, the minimum performance conditions being indicative of conditions needed for the determined investment to be recouped; and

upon failure to meet the minimum performance conditions, determining tax benefits available where ownership of the intellectual asset is obtained and donated to a charitable organization.

18. (Original) The method of claim 17, wherein the step of determining an investment based at least partially on the value of the intellectual asset comprises an assessment of that assets contribution to the success of the venture as well as an assessment of the overall risk of said investment.

19. (Original) The method of claim 17, wherein the step of determining minimum performance conditions for the investment seeking venture comprises an identification of the key success factors for the investment generally.

20. (Original) The method of claim 17, further comprising determining a value of an intellectual asset owned by a party seeking venture investment.

21. (Original) The method of claim 17, wherein the intellectual asset is a patent.

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22. (Original) The method of claim 17, wherein the step of determining tax benefits available where ownership of the intellectual asset is obtained and donated to a charitable organization comprises determining fair market value of the intellectual asset.